08-06-09

2634

PTO/SB/21 (08-03) Approved for use through 08/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/074.832 **TRANSMITTAL** Filing Date February 13, 2002 **FORM** First Named Inventor Kelliher, Timothy L Art Unit 2634 (to be used for all correspondence after initial filing) AUG 1-0-2004 **Examiner Name** Tse, Young Toi Attorney Docket Number Fechnology Center 2600 13 PED-0202-US Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication Fee Transmittal Form Drawing(s) to Technology Center (TC) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC ~ Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information After Final **Provisional Application** Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Terminal Disclaimer **Extension of Time Request** Identify below): Confirmation Postcard Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Express Mail Label No.: ER973082994US Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Michael D. Van Loy, Registration No. 52,315 Skymoon Research and Development, Customer No. 39368 Individual name Signature Date August 4,2004 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below Typed or printed name Michael D. Van Lov

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature

Date

August 4, 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kelliher, Timothy L.

Application Number:

10/074,832

Filed:

February 13, 2002

MAIL STOP NON-FEE AMENDMENT

Alexandria, Virginia 22313-1450

Commissioner for Patents

P.O. Box 1450

For:

Method and System for

Oversubscribing a DSL Modem

Group Art Unit: 2634

Examiner:

Tse, Young Toi

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RESPONSE/AMENDMENT

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Technology Center 2600

Sir:

In response to the Office Action of May 4, 2004, please amend the above-identified application as follows:

- 1. Amendments to the Claims begin on page 2 of this paper.
- 2. Remarks begin on page 9 of this paper.